

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

DERICK ORTIZ, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

SIG SAUER, INC.,

Defendant.

CASE NO. 1:19-cv-01025-JL

SECOND JOINT STATUS UPDATE

On August 24, 2023, the Court ordered the parties to “file joint or separate status updates regarding the case,” given that “the First Circuit Court of Appeals denied the petition for leave to appeal on May 10, 2023” and “there are no pending deadlines in this case, since the court granted the parties’ assented to motion to stay trial.” 8/24/23 Endorsed Ord.

On September 1, 2023, the parties filed a Joint Status Update informing the Court that they were engaged in active discussions to explore potential resolution and requesting additional time to continue such discussions. Dkt. No. 107. The Court granted this request and ordered a supplemental status report to be filed by October 2, 2023. 9/5/23 Endorsed Ord.

The parties hereby submit their Second Joint Status Update. The parties remain in discussions around potential resolution this matter. Since the last Joint Status Update was filed, the parties have exchanged demands and offers. The parties request another brief extension to allow them to determine whether resolution is possible. The parties anticipate that this is the last extension that will be required, and by the time the next status update is due, the parties will be

in a position to determine whether resolution is possible or if a trial will be necessary. Thus, the parties request one additional 30-day extension – to November 1, 2023 – to advise the Court whether they will be able to resolve the claims.

Respectfully submitted,

Dated: October 2, 2023

DOUGLAS, LEONARD & GARVEY, P.C.

By: /s/ Benjamin T. King

NH Bar #12888
Charles G. Douglas, III
NH Bar #669
14 South Street, Suite 5
Concord, NH 03301
Telephone: (603) 224-1988
E-Mail: benjamin@nhlawoffice.com
chuck@nhlawoffice.com

BURSOR & FISHER, P.A.
Joseph I. Marchese (admitted *pro hac vice*)
NY State Bar No. 4238317
Joshua D. Arisohn (admitted *pro hac vice*)
NY State Bar No. 4495198
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
E-Mail: jmarchese@bursor.com
jarisohn@bursor.com

BURSOR & FISHER, P.A.
Neal J. Deckant (admitted *pro hac vice*)
CA State Bar No. 322946
NY State Bar No. 5026208
1990 North California Blvd., Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ndeckant@bursor.com

Counsel for Plaintiff

Dated: October 2, 2023

**McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION**

By: /s/ Benjamin B. Folsom

Michael J. Quinn, N.H. Bar No. 5584
Benjamin B. Folsom, N.H. Bar No. 268352
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
Telephone (603) 625-6464
mike.quinn@mclane.com
benjamin.folsom@mclane.com

**LITTLETON PARK JOYCE UGHETTA &
KELLY LLP**

Robert L. Joyce (admitted *pro hac vice*)
B. Keith Gibson (admitted *pro hac vice*)
4 Manhattanville Road, Suite 202
Purchase, NY 10577
Telephone (914) 417-3400
Robert.Joyce@littletonpark.com
Keith.Gibson@littletonpark.com

Counsel for Defendant